

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

HECTOR GARCIA,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF  
PUBLIC HEALTH, STATE OF  
CALIFORNIA,

Defendants.

No. 2:20-cv-1309 KJM DB PS

ORDER

Plaintiff is proceeding pro se with the above-entitled action. The matter was referred to a United States Magistrate Judge as provided by Local Rule 302(c)(21).

On June 11, 2021, the magistrate judge filed findings and recommendations, which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within thirty days after service of the findings and recommendations. The thirty-day period has expired, and plaintiff has filed objections to the findings and recommendations, to which defendant has replied.

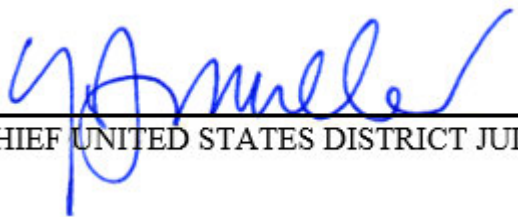
In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a *de novo* review of this case. Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed June 11, 2021 (ECF No. 15) are adopted in full;
2. Defendant's October 22, 2020 partial motion to dismiss, (ECF No. 7), re-noticed on October 26, 2020, (ECF No. 10), is granted;
3. The amended complaint's FLSA claim is dismissed without further leave to amend;
4. The court declines to exercise supplemental jurisdiction over the amended complaint's state law claim;
5. The amended complaint's state law claim is dismissed without prejudice; and
6. The Clerk of Court is directed to close this case.

DATED: September 20, 2021.

  
CHIEF UNITED STATES DISTRICT JUDGE